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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	2:05-CR-00034-LKK
)	
Plaintiff,)	
)	STIPULATION AND ORDER
v.)	CONTINUING INITIAL APPEARANCE
)	
DAVID TALCOTT USSERY,)	
)	Judge: Hon. Carolyn K. Delaney
)	
Defendant.)	
)	
)	
)	

STIPULATION

The United States, by and through its undersigned counsel, and the defendant, by and through his counsel of record, hereby stipulate as follows:

1. By prior order, this matter was set for an Initial Appearance on December 2, 2013.
2. By this Stipulation, the parties now move to continue the Initial Appearance until December 16, 2013.
3. Since November 11, 2013, the defendant has been receiving medical treatment in San Francisco. The defendant is currently receiving inpatient care in a skilled nursing facility in San

1 Francisco. The parties have been informed that the defendant
2 will not be medically cleared to travel to Sacramento on
3 December 2, 2013.

4 4. Given the defendant's medical condition and the need for in-
5 patient medical treatment, the parties request that the Court
6 continue the defendant's Initial Appearance until Monday,
7 December 16, 2013, at 2:00 p.m. before Magistrate Judge Allison
8 Claire.

9 5. The Probation Officer does not oppose the stipulation.

10 **IT IS SO STIPULATED.**

11
12 DATED: December 2, 2013

/s/ Justin L. Lee
JUSTIN L. LEE
Assistant U.S. Attorney

13
14 DATED: December 2, 2013

/s/ Tim Zindel
TIM ZINDEL
Attorney for David Talcott Ussery
(as authorized on December 2, 2013)

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17
18 **ORDER**

19 IT IS SO FOUND AND ORDERED, this _2nd_ day of December, 2013.

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22 _____
/s/ Carolyn K. Delaney
Hon. CAROLYN K. DELANEY
23 United States Magistrate Judge
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